

APPEAL, MAG

United States District Court
District of Massachusetts (Boston)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-10065-MLW-ALL

Case title: USA v. Earle

Date Filed: 03/10/2004

Assigned to: Chief Judge Mark L.
Wolf**Defendant****Clarence L. Earle (1)**

TERMINATED: 02/27/2006

also known as

Eric Allen (1)

TERMINATED: 02/27/2006

also known as

Theodore Wilson (1)

TERMINATED: 02/27/2006

also known as

Lemont Tippet (1)

TERMINATED: 02/27/2006

also known as

Robert Preval (1)

TERMINATED: 02/27/2006

represented by **Charles W. Rankin**

Rankin & Sultan

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Second Floor

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617-720-0011

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: CJA Appointment***Leo T. Sorokin**

Federal Defender's Office

408 Atlantic Avenue

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617-223-8061

Fax: 617-223-8080

TERMINATED: 11/01/2004

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Public Defender or
Community Defender
Appointment***Owen S. Walker**

Federal Defenders Office

408 Atlantic Ave.
Third Floor
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617-223-8061
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TERMINATED: 08/03/2004
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
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Appointment*

Paul Markham
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TERMINATED: 04/08/2005
LEAD ATTORNEY
Designation: CJA Appointment

Pending Counts

8:1326.F ILLEGAL REENTRY
OF ALIENS
(1s)

Disposition

78 months custody followed by 36
months supervised release and
\$100.00 special assessment fee.

Highest Offense Level (Opening)

Felony

Terminated Counts

8:1326 Unlawful Reentry of
Removed Alien
(1)
18:1001 FALSE STATEMENTS
TO GOVERNMENT AGENTS
OR AGENCIES
(2s)

Disposition

**Highest Offense Level
(Terminated)**

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Seth P. Berman**

United States Attorney's Office
Suite 9200
1 Courthouse Way
Boston, MA 02210
617-748-3385
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/10/2004	• 1	INDICTMENT as to Clarence L. Earle (1) count(s) 1. (Gawlik, Cathy) (Entered: 03/10/2004)
03/10/2004	•	Arrest Warrant Issued as to Clarence L. Earle. (Gawlik, Cathy) (Entered: 03/10/2004)
03/10/2004	•	Judge Mark L. Wolf : ORDER entered ORDER REFERRING CASE to Magistrate Judge Judith G. Dein Reason for referral: pretrial proceedings as to Clarence L. Earle (Gawlik, Cathy) (Entered: 03/10/2004)
03/12/2004	•	Attorney update in case as to Clarence L. Earle. Attorney Owen S. Walker for Clarence L. Earle added. (Quinn, Thomas) (Entered: 03/15/2004)
03/12/2004	•	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Initial Appearance as to Clarence L. Earle held on 3/12/2004: AUSA Pellegrini and Federal Defender Walker for the Dft.; Dft. files financial affidavit and request counsel; USMJ Dein appoints Federal Defender; Govt. moves for

		detention and continuance; USMJ Dein order Dft. to temporary detention pending hearing on 3/17/04 11:15 AM. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 03/15/2004)
03/12/2004	②	CJA 23 Financial Affidavit by Clarence L. Earle (Quinn, Thomas) (Entered: 03/17/2004)
03/12/2004	③	Judge Judith G. Dein : ORDER entered ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Clarence L. Earle (Quinn, Thomas) (Entered: 03/17/2004)
03/15/2004	⑧	Arrest Warrant Returned Executed on 3/12/04. as to Clarence L. Earle, FILED. (Boyce, Kathy) (Entered: 03/25/2004)
03/17/2004	④	Judge Judith G. Dein : ORDER entered INITIAL SCHEDULING ORDER as to Clarence L. Earle. Status Conference set for 4/26/2004 02:15 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 03/18/2004)
03/17/2004	⑤	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle. Time excluded from 3/17/04 until 4/14/04. (Dambrosio, Jolyne) (Entered: 03/18/2004)
03/17/2004	⑥	Judge Judith G. Dein : ORDER entered MEMORANDUM AND ORDER OF DETENTION as to Clarence L. Earle. (Dambrosio, Jolyne) (Entered: 03/18/2004)
03/17/2004	⑦	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein : Arraignment as to Clarence L. Earle (1) Count 1 held on 3/17/2004, Detention Hearing as to Clarence L. Earle held on 3/17/2004; AUSA Seth Berman and Federal Defender Walker for the Dft.; Dft pleads Not Guilty and will proceed with automatic discovery; 1st status conference is set for 4/26/04 @ 2:15pm. Detention Hearing held the Govt. calls witness #1 (Sansone) direct exam; cross exam; closing arguments; USMJ Dein orders Dft. detained pending pending trial. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 03/18/2004)
03/24/2004	⑦	CJA 23 Financial Affidavit by Clarence L. Earle, FILED. (Boyce, Kathy) (Entered: 03/24/2004)
04/26/2004	⑨	Joint MOTION for Excludable Delay from April 26, 2004 to May 26, 2004 and for a Continuance as to Clarence L. Earle by USA, Clarence L. Earle. (Berman, Seth) (Entered:

		04/26/2004)
04/26/2004	•	Judge Judith G. Dein : Electronic ORDER entered granting 9 Motion to Exclude as to Clarence L. Earle (1) (Quinn, Thomas) (Entered: 04/26/2004)
04/26/2004	• 10	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle Time excluded from 4/26/04 until 5/26/04. (Quinn, Thomas) (Entered: 04/26/2004)
05/26/2004	• 11	Judge Judith G. Dein : ORDER entered INITIAL STATUS REPORT as to Clarence L. Earle. Status Conference set for 7/20/2004 10:15 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 05/26/2004)
05/26/2004	• 12	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle. Time excluded from 5/26/04 until 7/20/04. (Dambrosio, Jolyne) (Entered: 05/26/2004)
05/26/2004	•	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Clarence L. Earle held on 5/26/2004; AUSA Berman and Attorney Walker report case status and seek further conference on July 20,2004 @ 10:15am. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 05/27/2004)
05/26/2004	•	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Detention Hearing and Preliminary Examination as to Clarence L. Earle continued from 5/26/2004 to 5/28/04 @ 12:00pm. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 05/27/2004)
06/09/2004	• 13	Consent MOTION for Detention <i>without prejudice and defendant's request that the case be sent, without holding a status conference, to the district court for trial</i> as to Clarence L. Earle. (Walker, Owen) (Entered: 06/09/2004)
06/24/2004	• 18	MOTION Ex Parte as to Clarence L. Earle FILED. received for docketing on 8/4/04 (Boyce, Kathy). (Entered: 08/05/2004)
07/20/2004	•	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Clarence L. Earle held on 7/20/2004; AUSA Berman and Attorney McGinty (standing in for Attorney Walker) report status seek further conference for 8/3/04 @ 11:00am. (Court Reporter D.R..) (Quinn,

		Thomas) (Entered: 07/20/2004)
07/20/2004	14	Judge Judith G. Dein : ORDER entered STATUS REPORT as to Clarence L. Earle Status Conference set for 8/3/2004 11:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 07/20/2004)
07/20/2004	15	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle Time excluded from 7/20/04 until 8/3/04. (Quinn, Thomas) (Entered: 07/20/2004)
07/20/2004	16	Judge Judith G. Dein : Electronic ORDER entered withdrawing <u>13</u> Motion for Detention as to Clarence L. Earle (1) (Quinn, Thomas) (Entered: 08/04/2004)
08/03/2004	17	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Clarence L. Earle held on 8/3/2004; AUSA Berman and Attorney Sorokin report current case status; Attorney Sorokin will take case over from Attorney Walker; Next status conference is set for 9/28/04 @ 10:30am. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 08/03/2004)
08/03/2004	18	Attorney update in case as to Clarence L. Earle. Attorney Leo T. Sorokin for Clarence L. Earle added. Attorney Owen S. Walker terminated. (Quinn, Thomas) (Entered: 08/03/2004)
08/03/2004	19	Judge Judith G. Dein : ORDER entered STATUS REPORT as to Clarence L. Earle Status Conference set for 9/28/2004 10:30 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 08/04/2004)
08/03/2004	20	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle Time excluded from 8/3/04 until 9/28/04. (Quinn, Thomas) (Entered: 08/04/2004)
08/03/2004	21	Magistrate Judge Judith Dein: Electronic ORDER entered granting <u>18</u> Motion as to Clarence L. Earle (1) (Boyce, Kathy) Modified on 8/5/2004 to correct judge association to order (Boyce, Kathy). (Entered: 08/05/2004)
09/28/2004	22	Judge Judith G. Dein : ORDER entered STATUS REPORT as to Clarence L. Earle. Status Conference set for 10/26/2004 10:45 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 09/28/2004)

09/28/2004	②0	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle. Time excluded from 9/28/04 until 10/26/04. (Dambrosio, Jolyne) (Entered: 09/28/2004)
09/28/2004	②1	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Clarence L. Earle held on 9/28/2004; AUSA Connolly (standing in for AUSA Berman) and Attorney Kelley (standing in for Attorney Sorokin) report case status and request further conference on 10/26/04 @ 10:45am. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 09/28/2004)
10/06/2004	②1	Assented To MOTION to Order the Probation Office to prepare a pre-plea PSR, as to Clarence L. Earle FILED, c/s. (Boyce, Kathy) (Entered: 10/14/2004)
10/14/2004	②1	Notice of correction to docket made by Court staff. Correction: #21 deleted as it was submitted mistakenly as a sentencing memorandum: reentered to change the event type to Motion. (Boyce, Kathy) (Entered: 10/14/2004)
10/22/2004	②1	Judge Mark L. Wolf : Electronic ORDER entered denying <u>21</u> Motion for Order as to Clarence L. Earle (1) without prejudice to possible reconsideration at the initial conference. (O'Leary, Dennis) (Entered: 10/25/2004)
10/26/2004	②1	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Clarence L. Earle held on 10/26/2004; AUSA Berman and Attorney Sorokin report current case status and request further conference for 12/6/04 @ 2:45pm. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 10/26/2004)
10/26/2004	②2	Judge Judith G. Dein : ORDER entered INTERIM STATUS REPORT as to Clarence L. Earle. Status Conference set for 12/6/2004 02:45 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 10/26/2004)
10/26/2004	②3	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle. Time excluded from 10/26/04 until 12/7/04. (Dambrosio, Jolyne) (Entered: 10/26/2004)
10/26/2004	②5	JOINT STATUS REPORT Concerning Local Rule 116.5(C), by USA, Clarence L. Earle as to Clarence L. Earle, FILED, c/s.

		(Boyce, Kathy) (Entered: 11/05/2004)
10/28/2004	24	MOTION to Withdraw as Attorney by Leo T. Sorokin. as to Clarence L. Earle. (Sorokin, Leo) (Entered: 10/28/2004)
11/01/2004	25	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Motion Hearing as to Clarence L. Earle held on 11/1/2004 re <u>24</u> MOTION to Withdraw as Attorney by Leo T. Sorokin. filed by Clarence L. Earle; AUSA Berman is excused from appearing; USMJ Dein hears from Attorney Sorokin and defendant Earle. USMJ Dein allows motion to withdraw. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 11/01/2004)
11/01/2004	26	Judge Judith G. Dein : Electronic ORDER entered granting <u>24</u> Motion to Withdraw as Attorney. as to Clarence L. Earle (1) (Quinn, Thomas) (Entered: 11/01/2004)
11/01/2004	27	Attorney update in case as to Clarence L. Earle. Attorney Paul Markham for Clarence L. Earle added. Attorney Leo T. Sorokin terminated. (Quinn, Thomas) (Entered: 12/06/2004)
12/06/2004	28	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein :Status Conference as to Clarence L. Earle held on 12/6/2004; AUSA Berman and Attorney Markham report current case status; Next status conference is set for 12/23/04 @ 10:45am. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 12/06/2004)
12/07/2004	29	Judge Judith G. Dein : ORDER entered STATUS REPORT as to Clarence L. Earle Status Conference set for 12/23/2004 10:45 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 12/07/2004)
12/07/2004	30	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle Time excluded from 12/6/04 until 12/23/04. (Quinn, Thomas) (Entered: 12/07/2004)
12/08/2004	31	NOTICE OF ATTORNEY APPEARANCE, FILED, c/s. Paul Markham appearing for Clarence L. Earle (Boyce, Kathy) (Entered: 12/10/2004)
12/20/2004	32	Memorandum regarding Status as to Clarence L. Earle (Berman, Seth) (Entered: 12/20/2004)
12/23/2004	33	Electronic Clerk's Notes for proceedings held before Judge

		Judith G. Dein :Status Conference as to Clarence L. Earle held on 12/23/2004; AUSA Berman and Attorney Markham report case status; USMJ Dein will issue report and return file to district court judge. (Court Reporter D.R..) (Quinn, Thomas) (Entered: 12/28/2004)
12/23/2004	③0	Judge Judith G. Dein : ORDER entered FINAL STATUS REPORT as to Clarence L. Earle (Quinn, Thomas) (Entered: 12/28/2004)
12/23/2004	③1	Judge Judith G. Dein : ORDER entered ORDER ON EXCLUDABLE DELAY as to Clarence L. Earle Time excluded from 12/23/04 until 2/8/05. (Quinn, Thomas) (Entered: 12/28/2004)
03/10/2005	③2	NOTICE OF HEARING as to Clarence L. Earle Status Conference set for 3/21/2005 12:30 PM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 03/10/2005)
03/15/2005	③3	TRIAL BRIEF by USA as to Clarence L. Earle (Berman, Seth) (Entered: 03/15/2005)
03/15/2005	③4	Proposed Voir Dire by USA as to Clarence L. Earle (Berman, Seth) (Entered: 03/15/2005)
03/15/2005	③5	Proposed Jury Instructions by USA as to Clarence L. Earle (Berman, Seth) (Entered: 03/15/2005)
03/15/2005	③6	EXHIBIT/WITNESS LIST by USA as to Clarence L. Earle (Berman, Seth) (Entered: 03/15/2005)
03/15/2005	③7	EXHIBIT/WITNESS LIST by USA as to Clarence L. Earle (Berman, Seth) (Entered: 03/15/2005)
03/21/2005	③8	Clerk's Notes for proceedings held before Judge Mark L. Wolf :Pretrial Conference as to Clarence L. Earle held on 3/21/2005 (Court Reporter Twomey.) (O'Leary, Dennis) (Entered: 03/22/2005)
03/21/2005	③9	Judge Mark L. Wolf : ORDER entered. PRETRIAL ORDER as to Clarence L. Earle Jury Trial set for 4/4/2005 09:00 PM in Courtroom 10 before Judge Mark L. Wolf. Pretrial Conference set for 3/30/2005 04:00 PM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 03/22/2005)
03/24/2005	③40	SUPERSCEDING INDICTMENT as to Clarence L. Earle (1) count(s) 1s, 2s. (Smith3, Dianne) Modified on 3/25/2005

		(Catino, Theresa). (Entered: 03/25/2005)
03/24/2005	④1	Judge Mark L. Wolf : ORDER entered. ORDER REFERRING CASE to Magistrate Judge Judith G. Dein Reason for referral: PRETRIAL as to Clarence L. Earle (Smith3, Dianne) Modified on 3/25/2005 (Smith3, Dianne). (Entered: 03/25/2005)
03/25/2005	④2	Notice of correction to docket made by Court staff. Correction: the name of the judge corrected because: it was the incorrect judge as to Clarence L. Earle (Smith3, Dianne) (Entered: 03/25/2005)
03/28/2005	④2	Proposed Jury Instructions by USA as to Clarence L. Earle (Berman, Seth) (Entered: 03/28/2005)
03/28/2005	④3	MOTION to Withdraw as Attorney by Paul F. Markham. as to Clarence L. Earle, FILED. (Boyce, Kathy) (Entered: 03/29/2005)
03/30/2005	④4	Judge Mark L. Wolf : ORDER entered. 1. The March 30, 2005 hearing is CANCELLED.2. Status report shall be filed by April 5, 2005. A hearing to address all pending matters shall be held on April 8, 2005, at 10:00 a.m. If, by agreement or by order of the court, Mr. Markham continues to represent Earle, the trial previously scheduled to begin on April 4, 2005, shall commence on April 18, 2005.(O'Leary, Dennis) (Entered: 03/30/2005)
04/05/2005	④6	STATUS REPORT by USA as to Clarence L. Earle (Berman, Seth) Additional attachment(s) added on 4/6/2005 (O'Leary, Dennis). (Entered: 04/05/2005)
04/08/2005	④7	Clerk's Notes for proceedings held before Judge Mark L. Wolf :Motion Hearing as to Clarence L. Earle held on 4/8/2005 re <u>43</u> MOTION to Withdraw as Attorney by Paul F. Markham. filed by Clarence L. Earle, (Court Reporter Twomey.) (O'Leary, Dennis) (Entered: 04/08/2005)
04/08/2005	④8	Judge Mark L. Wolf : ORDER entered. as to Clarence L. Earle re <u>43</u> MOTION to Withdraw as Attorney by Paul F. Markham. filed by Clarence L. Earle,, (O'Leary, Dennis) (Entered: 04/08/2005)
04/20/2005	④9	Ex Parte MOTION #1, as to Clarence L. EarleFILED. (Boyce, Kathy) Additional attachment(s) added on 5/4/2005 (Boyce, Kathy). (Entered: 04/22/2005)

04/20/2005	50	Ex Parte Motion #2 as to Clarence L. EarleFILED. (Boyce, Kathy) Additional attachment(s) added on 5/4/2005 (Boyce, Kathy). (Entered: 04/22/2005)
04/20/2005	51	Ex Parte Motion #3 as to Clarence L. EarleFILED.(Boyce, Kathy) (Entered: 04/22/2005)
04/26/2005	52	Judge Mark L. Wolf : Electronic ORDER entered sealing 49 as to Clarence L. Earle (1); 50 as to Clarence L. Earle (1) (O'Leary, Dennis) (Entered: 05/04/2005)
05/05/2005	53	Judge Mark L. Wolf : Electronic ORDER entered Sealing [51] Motion as to Clarence L. Earle (1) (Boyce, Kathy) (Entered: 05/09/2005)
05/16/2005	52	NOTICE OF HEARING as to Clarence L. Earle Arraignment set for 5/23/2005 10:30 AM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 05/16/2005)
05/20/2005	55	Judge Mark L. Wolf : ORDER entered. CJA 20 as to Clarence L. Earle: Appointment of Attorney Charles W. Rankin for Clarence L. Earle. (Boyce, Kathy) (Entered: 06/01/2005)
05/23/2005	53	Clerk's Notes for proceedings held before Judge Mark L. Wolf :Arraignment as to Clarence L. Earle (1) Count 1s,2s held on 5/23/2005. Defendant pleads not guilty to both counts. Court establishes filing deadlines. Schedules the case for a conference on August 18, 2005 and excludes all time until said date. (Court Reporter Twomey.) (O'Leary, Dennis) (Entered: 05/23/2005)
05/27/2005	54	TRANSCRIPT of Arraignment/Detention Hearing as to Clarence L. Earle held on March 17, 2004 before Judge Dein. Tape Transcribed by Maryann Young. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting Maryann Young at 508-384-2003 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/27/2005)
08/03/2005	56	MOTION to Suppress <i>Statements</i> as to Clarence L. Earle. (Rankin, Charles) (Entered: 08/03/2005)
08/03/2005	57	MEMORANDUM in Support by Clarence L. Earle re 56 MOTION to Suppress <i>Statements</i> (Rankin, Charles) (Entered: 08/03/2005)
08/03/2005	58	AFFIDAVIT of Defendant by Clarence L. Earle 56 MOTION

		to Suppress <i>Statements</i> filed by Clarence L. Earle,, 57 Memorandum in Support filed by Clarence L. Earle, (Rankin, Charles) (Entered: 08/03/2005)
08/12/2005	59	Opposition by USA as to Clarence L. Earle re 56 MOTION to Suppress <i>Statements</i> (Berman, Seth) (Entered: 08/12/2005)
08/12/2005	60	MOTION to Dismiss <i>Count Two of Indictment</i> as to Clarence L. Earle by USA. (Berman, Seth) (Entered: 08/12/2005)
08/15/2005	61	MOTION for Order <i>Directing US Marshal to Bring Defendant to Conference on August 18, 2005</i> as to Clarence L. Earle. (Rankin, Charles) (Entered: 08/15/2005)
08/17/2005		Judge Mark L. Wolf : Electronic ORDER entered granting 61 Motion for Order as to Clarence L. Earle (1) (O'Leary, Dennis) (Entered: 08/17/2005)
08/18/2005	62	MOTION for Extension of Time to 9/1/2005 to File Motion to Dismiss as to Clarence L. Earle. (Rankin, Charles) Additional attachment(s) added on 8/26/2005 (Boyce, Kathy). (Entered: 08/18/2005)
08/18/2005	63	Clerk's Notes for proceedings held before Judge Mark L. Wolf : Pretrial Conference as to Clarence L. Earle held on 8/18/2005 (Court Reporter Twomey.) (O'Leary, Dennis) (Entered: 08/19/2005)
08/18/2005	64	Judge Mark L. Wolf : Witness Sequestration Order entered. as to Clarence L. Earle. (O'Leary, Dennis) (Entered: 08/25/2005)
08/18/2005	66	Judge Mark L. Wolf : ORDER entered dismissing count two of the indictments to Clarence Earle. (O'Leary, Dennis) (Entered: 08/30/2005)
08/25/2005	65	Judge Mark L. Wolf : ORDER entered. PRETRIAL ORDER as to Clarence L. Earle Time excluded from 10/7/2005 until 10/31/2005. Jury Trial set for 10/31/2005 09:00 AM in Courtroom 10 before Judge Mark L. Wolf. Pretrial Conference set for 10/27/2005 04:00 PM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 08/25/2005)
08/26/2005		Notice of correction to docket made by Court staff. Correction: Document No. 62 corrected to attach document with the proper electronic signature as to Clarence L. Earle (Boyce, Kathy) (Entered: 08/26/2005)
09/16/2005	67	Proposed Jury Instructions by USA as to Clarence L. Earle

		(Berman, Seth) (Entered: 09/16/2005)
09/16/2005	68	Proposed Voir Dire by USA as to Clarence L. Earle (Berman, Seth) (Entered: 09/16/2005)
09/16/2005	69	TRIAL BRIEF by USA as to Clarence L. Earle (Berman, Seth) (Entered: 09/16/2005)
09/16/2005	70	MOTION in Limine as to Clarence L. Earle by USA. (Berman, Seth) (Entered: 09/16/2005)
10/07/2005	71	Clerk's Notes for proceedings held before Judge Mark L. Wolf :Motion Hearing as to Clarence L. Earle held on 10/7/2005 re <u>56</u> MOTION to Suppress <i>Statements</i> filed by Clarence L. Earle, (Court Reporter Romanow.) (O'Leary, Dennis) (Entered: 10/07/2005)
10/07/2005	72	Judge Mark L. Wolf : ORDER entered. as to Clarence L. Earle (O'Leary, Dennis) (Entered: 10/07/2005)
10/08/2005	73	MOTION for Authorization of Services or Funds for <i>Transcript</i> as to Clarence L. Earle. (Rankin, Charles) (Entered: 10/08/2005)
10/11/2005	74	TRANSCRIPT of Hearing as to Clarence L. Earle held on October 7, 2005 before Judge Wolf. Court Reporter: Richard H. Romanow. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-0370 or the Clerk's Office. (Scalfani, Deborah) (Entered: 10/11/2005)
10/12/2005		Judge Mark L. Wolf : Electronic ORDER entered granting <u>73</u> Motion for Authorization of Services or Funds as to Clarence L. Earle (1) (O'Leary, Dennis) (Entered: 10/12/2005)
10/14/2005	75	Supplemental MEMORANDUM in Support by Clarence L. Earle re <u>56</u> MOTION to Suppress <i>Statements</i> (Rankin, Charles) (Entered: 10/14/2005)
10/14/2005	76	MEMORANDUM in Opposition by USA as to Clarence L. Earle re <u>56</u> MOTION to Suppress <i>Statements</i> (Berman, Seth) (Entered: 10/14/2005)
10/19/2005	77	EX PARTE MOTION as to Clarence L. Earle, filed. (Boyce, Kathy) (Entered: 10/19/2005)
10/20/2005	78	REPLY TO RESPONSE to Motion by Clarence L. Earle re <u>56</u> MOTION to Suppress <i>Statements</i> (Rankin, Charles) (Entered:

		10/20/2005)
10/20/2005	⑦9	Proposed Voir Dire by Clarence L. Earle (Rankin, Charles) (Entered: 10/20/2005)
10/21/2005	⑧0	NOTICE OF RESCHEDULING as to Clarence L. Earle Pretrial Conference set for 10/27/2005 01:00 PM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 10/21/2005)
10/21/2005	⑧1	EXHIBIT/WITNESS LIST by USA as to Clarence L. Earle (Berman, Seth) (Entered: 10/21/2005)
10/21/2005	⑧2	EXHIBIT/WITNESS LIST by USA as to Clarence L. Earle (Berman, Seth) (Entered: 10/21/2005)
10/25/2005	⑧3	NOTICE of <i>Change of Address of Counsel</i> by Clarence L. Earle (Rankin, Charles) (Entered: 10/25/2005)
10/27/2005	⑧4	MOTION for transcripts at government expense as to Clarence L. Earle. (Rankin, Charles) (Entered: 10/27/2005)
10/27/2005	⑧5	Clerk's Notes for proceedings held before Judge Mark L. Wolf :Pretrial Conference as to Clarence L. Earle held on 10/27/2005 (Court Reporter Romanow.) (O'Leary, Dennis) (Entered: 10/28/2005)
11/01/2005	⑧6	EXHIBIT/WITNESS LIST by USA as to Clarence L. Earle (Berman, Seth) (Entered: 11/01/2005)
11/01/2005	⑧7	EXHIBIT/WITNESS LIST by USA as to Clarence L. Earle (Berman, Seth) (Entered: 11/01/2005)
11/01/2005	⑧8	TRANSCRIPT of Hearing as to Clarence L. Earle held on October 27, 2005 before Judge Wolf. Court Reporter: Richard H. Romanow. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-0370 or the Clerk's Office. (Scalfani, Deborah) (Entered: 11/01/2005)
11/02/2005	⑧9	Judge Mark L. Wolf : ORDER entered granting <u>56</u> Motion to Suppress as to Clarence L. Earle (1). For the foregoing reasons, it is hereby ORDERED that: 1. Defendant's Motion to Suppress is ALLOWED. 2. Defendant's statements to the ICE agents on November 6,2003, and any information derived from them, shall not be admitted at defendant's trial. (O'Leary, Dennis) (Entered: 11/02/2005)

11/02/2005	⑨0	Objection as to Clarence L. Earle: 87 Exhibit/Witness List filed by USA, (Rankin, Charles) (Entered: 11/02/2005)
11/02/2005	⑨1	Judge Mark L. Wolf : Electronic ORDER entered granting 84 Motion for Transcript at Government Expense as to Clarence L. Earle (1) (O'Leary, Dennis) (Entered: 11/02/2005)
11/02/2005	⑨1	Letter dated 11/2/05 to Courtroom Clerk Dennis O'Leary from AUSA Seth P. Berman enclosing the proposed exhibits that Judge Wolf requested Mr. Berman provide the Court as to Clarence L. Earle, FILED. (Boyce, Kathy) (Entered: 11/03/2005)
11/03/2005	⑨2	PRETRIAL MEMORANDUM <i>Regarding the Government's Proposed Evidence Regarding the Defendant's Prior Statements</i> by Clarence L. Earle (Berman, Seth) (Entered: 11/03/2005)
11/07/2005	⑨3	Clerk's Notes for proceedings held before Judge Mark L. Wolf : Voir Dire begun on 11/7/2005. Jury trial day one on 11/7/2005. Clarence L. Earle (1) on Count 1s (Court Reporter Romanow.) (O'Leary, Dennis) (Entered: 11/07/2005)
11/07/2005	⑨8	Judge Mark L. Wolf : ORDER entered. AMENDED MEMORANDUM AND ORDER as to Clarence L. Earle (O'Leary, Dennis) (Entered: 11/10/2005)
11/08/2005	⑨4	Letter (non-motion) regarding Schedule as to Clarence L. Earle (Rankin, Charles) (Entered: 11/08/2005)
11/08/2005	⑨5	MOTION to Dismiss <i>and Suppress and for Leave to File</i> as to Clarence L. Earle. (Rankin, Charles) (Entered: 11/08/2005)
11/08/2005	⑩2	Clerk's Notes for proceedings held before Judge Mark L. Wolf : Jury Trial as to Clarence L. Earle held on 11/8/2005 (Court Reporter Romanow.) (O'Leary, Dennis) (Entered: 11/22/2005)
11/09/2005	⑨6	Memorandum regarding the Admissibility of Exhibits D and E as to Clarence L. Earle (Berman, Seth) (Entered: 11/09/2005)
11/09/2005	⑨7	Memorandum regarding Proposed Exhibits as to Clarence L. Earle (Rankin, Charles) (Entered: 11/09/2005)
11/10/2005	⑩3	Clerk's Notes for proceedings held before Judge Mark L. Wolf : Jury Trial as to Clarence L. Earle held on 11/10/2005 (Court Reporter Romanow.) (O'Leary, Dennis) (Entered: 11/22/2005)

11/14/2005	•	Electronic Clerk's Notes for proceedings held before Judge Mark L. Wolf: Jury Trial - Day Five as to Clarence L. Earle held on 11/14/2005. Counsel make closing arguments. Jury begins deliberations. Jury returns a verdict. Verdict: Guilty on Count 1. Sentencing set for 2/21/2006 at 3:00 PM in Courtroom 10 before Judge Mark L. Wolf. Motions and Memos by 2/7/06, Responses by 2/14/06. (Court Reporter Richard Romanow.) (Alba, Robert) (Entered: 11/14/2005)
11/14/2005	• 99	MOTION for Entry of Judgment of Acquittal as to Clarence L. Earle, FILED IN OPEN COURT. (Boyce, Kathy) (Entered: 11/14/2005)
11/14/2005	• 100	MOTION to Strike Conditionally Admitted Evidence, as to Clarence L. Earle, FILED IN OPEN COURT, (Boyce, Kathy) (Entered: 11/14/2005)
11/14/2005	•	Judge Mark L. Wolf: Electronic ORDER entered denying <u>99</u> Motion for Acquittal as to Clarence L. Earle (1) (Boyce, Kathy) (Entered: 11/14/2005)
11/14/2005	•	Judge Mark L. Wolf: Electronic ORDER entered denying <u>100</u> Motion to Strike as to Clarence L. Earle (1)... "For the reasons described in court, this motion is DENIED." (Boyce, Kathy) (Entered: 11/14/2005)
11/14/2005	• 101	JURY VERDICT as to Clarence L. Earle (1) Guilty on Count 1s Clarence L. Earle (1) (Boyce, Kathy) Modified on 11/22/2005 to correct text of entry (Boyce, Kathy). (Entered: 11/22/2005)
11/22/2005	• 104	TRIAL EXHIBIT/WITNESS LIST by Clarence L. Earle (O'Leary, Dennis) (Entered: 11/22/2005)
11/30/2005	• 105	Judge Mark L. Wolf: Electronic ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Clarence L. Earle Sentencing set for 2/21/2006 03:00 PM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 11/30/2005)
12/21/2005	• 106	MOTION for transcripts at government expense as to Clarence L. Earle. (Rankin, Charles) (Entered: 12/21/2005)
01/02/2006	•	Judge Mark L. Wolf: Electronic ORDER entered granting <u>106</u> Motion for Transcript at Government Expense as to Clarence L. Earle (1) (O'Leary, Dennis) (Entered: 01/03/2006)

01/05/2006	• 107	EX PARTE Motion as to Clarence L. Earle, FILED. (Boyce, Kathy) (Entered: 01/05/2006)
01/08/2006	•	Judge Mark L. Wolf : Electronic ORDER entered granting and sealing <u>107</u> Ex Parte Motion as to Clarence L. Earle (1) (O'Leary, Dennis) (Entered: 01/09/2006)
02/07/2006	• 108	SENTENCING MEMORANDUM by USA as to Clarence L. Earle (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Berman, Seth) (Entered: 02/07/2006)
02/07/2006	• 109	Assented to MOTION To Allow the Government to Substitute Copies for the Original Exhibits in the Court File as to Clarence L. Earle by USA. (Berman, Seth) (Entered: 02/07/2006)
02/15/2006	• 110	SENTENCING MEMORANDUM by Clarence L. Earle (Rankin, Charles) (Entered: 02/15/2006)
02/15/2006	• 111	MOTION for Leave to File <i>Sentencing Memorandum</i> as to Clarence L. Earle. (Rankin, Charles) (Entered: 02/15/2006)
02/16/2006	• 112	MOTION for Leave to File <i>Amended Sentencing Memorandum</i> as to Clarence L. Earle. (Attachments: # <u>1</u>) (Rankin, Charles) (Entered: 02/16/2006)
02/16/2006	• 113	MOTION for Hearing <i>Regarding Question of Counsel</i> as to Clarence L. Earle. (Rankin, Charles) (Entered: 02/16/2006)
02/17/2006	•	Judge Mark L. Wolf : Electronic ORDER entered reserving ruling on <u>113</u> Motion for Hearing as to Clarence L. Earle (1). This issue will be addressed at the outset of the February 21, 2006 hearing. As in the past, the AUSA will be excused. (O'Leary, Dennis) (Entered: 02/17/2006)
02/17/2006	•	Judge Mark L. Wolf : Electronic ORDER entered granting <u>112</u> Motion for Leave to File as to Clarence L. Earle (1). Counsel using the Electronic Case Files system should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. (O'Leary, Dennis) (Entered: 02/17/2006)
02/17/2006	• 114	SENTENCING MEMORANDUM by Clarence L. Earle (Rankin, Charles) (Entered: 02/17/2006)
02/21/2006	• 115	MOTION for Leave to File <i>Supplemental Sentencing Memorandum</i> as to Clarence L. Earle. (Attachments: # <u>1</u>) (Rankin, Charles) (Entered: 02/21/2006)

02/21/2006	• 119	Electronic Clerk's Notes for proceedings held before Judge Mark L. Wolf :Sentencing held on 2/21/2006 for Clarence L. Earle (1), Count(s) 1s, 78 months custody followed by 36 months supervised release and \$100.00 special assessment fee.. (Court Reporter Romanow.) (O'Leary, Dennis) (Entered: 02/24/2006)
02/22/2006	• 116	MOTION for transcripts at government expense as to Clarence L. Earle. (Attachments: # 1 Form CJA 24)(Rankin, Charles) (Entered: 02/22/2006)
02/22/2006	• 117	MOTION for Leave to Appeal In Forma Pauperis as to Clarence L. Earle. (Rankin, Charles) (Entered: 02/22/2006)
02/22/2006	• 118	NOTICE OF APPEAL by Clarence L. Earle NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 3/14/2006. (Rankin, Charles) (Entered: 02/22/2006)
02/27/2006	•	Judge Mark L. Wolf : ORDER entered granting 117 Motion for Leave to Appeal In Forma Pauperis as to Clarence L. Earle (1) (O'Leary, Dennis) (Entered: 02/27/2006)
02/27/2006	• 120	Judge Mark L. Wolf : ORDER entered. JUDGMENT as to Clarence L. Earle (1), Count(s) 1s, 78 months custody followed by 36 months supervised release and \$100.00 special assessment fee. (O'Leary, Dennis) (Entered: 02/28/2006)
03/03/2006	• 121	MOTION Correct Technical Errors in the Judgment Pursuant to Rule 35(a) as to Clarence L. Earle by USA. (Berman, Seth) (Entered: 03/03/2006)